

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 11/10/2022

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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BRYAN VELAZQUEZ, on behalf of himself and	:	
all others similarly situated,	:	
	:	
Plaintiff,	:	
-against-	:	22-CV-7162 (VEC)
	:	
	:	
	:	<u>ORDER</u>
THE LEARNING JOURNEY INTERNATIONAL,	:	
LLC,	:	
	:	
Defendants.	:	
-----X		

VALERIE CAPRONI, United States District Judge:

WHEREAS on August 25, 2022, Plaintiff was ordered to file an Amended Complaint not later than September 2, 2022, or the action would be dismissed for lack of standing, Dkt. 5;

WHEREAS on September 2, 2022, Plaintiff filed an Amended Complaint that adequately alleges standing, Dkt. 7; and

WHEREAS on November 9, 2022, Plaintiff notified the Court that the parties have reached an agreement in principle resolving all issues and asked the Court to retain jurisdiction for 60 days while the parties prepare settlement documents, Dkt. 12.

IT IS HEREBY ORDERED that all previously scheduled conferences and other deadlines are CANCELLED.

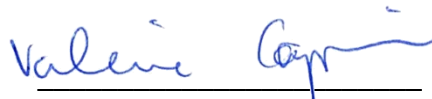
IT IS FURTHER ORDERED that this case is DISMISSED with prejudice and without costs (including attorneys' fees) to either party. The Clerk of Court is respectfully directed to amend the case caption to delete "on behalf of himself and all others similarly situated" after the individual Plaintiff's name, as this dismissal is only operative between the individual Plaintiff Bryan Velazquez and Defendant The Learning Journey International, LLC. The Clerk of Court is respectfully directed to terminate all open motions and to CLOSE the case.

Within **30 days** of this order, the parties may apply to reopen this case. Any such application must show good cause for holding the case open in light of the parties' settlement and must be filed within **30 days**. Any request filed after 30 days or without a showing of good cause may be denied solely on that basis.

Additionally, if the parties wish for the Court to retain jurisdiction to enforce their settlement agreement, they must submit **within the same 30-day period**: (1) their settlement agreement to the Court in accordance with Rule 7.A of the Court's Individual Practices and (2) a request that the Court issue an order expressly retaining jurisdiction to enforce the settlement agreement. *See Hendrickson v. United States*, 791 F.3d 354 (2d Cir. 2015).

SO ORDERED.

Date: November 10, 2022
New York, New York



VALERIE CAPRONI
United States District Judge